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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,116	07/02/2001	Takeo Seino	Q65302	5085

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EXAMINER

STEWART JR, CHARLES W

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,116

Applicant(s)

Takeo Seino

Examiner

Charles Stewart, Jr.

Art Unit

2853



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) Other: _____

Art Unit: 2853

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers filed on purporting to comply with the requirements of 35 U.S.C. 119(a)-(d), which papers have been placed of records in the file.

Oath/Declaration

2. The declaration filed September 28, 2001 is acceptable.

Specification

3. The disclosure is objected to because of the following formalities: In pages 7-10, symbol A is not noted (See Fig. 6).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-5, 10-13, 17-18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Hmelar et al. (US 6,183,077 B1).

As best construed, Hmelar et al. discloses a maintenance cartridge for a recording apparatus to which an ink cartridge is to mounted (Fig. 9), the maintenance cartridge comprising: a main body mountable (col. 12, lines 51-55) to the recording apparatus at least at a same position as a position, at which the ink cartridge is to be mounted to the recording apparatus; and at least one plug element (174), provided in a region corresponding to an ink supply port of the ink cartridge,

Art Unit: 2853

for sealing an ink supply needle that supplies ink to an ink jet recording head; a cylindrical portion (168) for guiding the ink supply needle; and a taper portion (166) for sealing an ink inlet hole of the ink supply needle; an inner surface of the taper portion (236) is adapted to closely contact the ink inlet hole; wherein at least one protruded rib (116) portion extending in an insertion direction of the ink supply needle is formed on an inner surface of the cylindrical portion.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-9, 14-15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US 5,946,419) in view of Kuronuma et al. (US 5,831,646) and further in view of Komplin et al. (US 6,155,678).

As best construed, Chen et al. discloses a message that is displayable on a monitor (52). While, Kuronuma et al. teaches that the MPU activates the ink discharge recovery system to remove any clogging in the discharge ports of the head cartridge 51 and restore it to normal condition. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the invention of Kuronuma et al. into the invention of Chen et al., in order to provide an ink jet printer capable of continuous fine printing without poor in discharge (col. 4, lines 61-64) having an outward form by which a detection system of a

Art Unit: 2853

recording apparatus can identify the maintenance cartridge. However, Chen et al. does not disclose a memory device storing data concerning maintenance. Nevertheless, Komplin et al discloses a memory device storing data concerning maintenance (col. 5, lines 12-15). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the invention of Chen et al. into the invention of Komplin et al., in order that when replacing the depleted ink cartridge with a fresh ink cartridge extends the life of the pen.

However, Chen et al. does not discloses the maintenance cartridge corresponds to and is replaceable with a plurality of the cartridges. Nevertheless, Komplin et al. shows the maintenance cartridge corresponds to and is replaceable with a plurality of the cartridges (col. 8, lines 1-16). Therefore, it would have been obvious to one having ordinary skill in the art would be motivated to include the maintenance cartridge corresponds to and is replaceable with a plurality of the cartridges as is designed by Komplin et al. to include the teaches of Chen in view of Kuronuma et al., in order for ink flow communication with each printhead (col. 7, lines 5-6).

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Charles Stewart, Jr. at (703) 308-7252. The examiner can normally be reached on Monday-Friday from 8:30 a.m to 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John E. Barlow, Jr. Art Unit 2853, can be reached on (703) 308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3432.

Application/Control Number: 09/896,116

5

Art Unit: 2853

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703) 308-0956.

cws

March 21, 2002

J Barlow
John Barlow
Supervisory Patent Examiner
Technology Center 2800